

## FORT BRAGG UNIFIED SCHOOL DISTRICT

Gustavo Ayala, Technology Coordinator

312 South Lincoln Street, Fort Bragg, California 95437-4499

Telephone (707) 961-2850

Fax (707) 964-5002

April 02, 2002

**Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street SW  
Washington, DC 20554**

DOCKET FILE COPY ORIGINAL

RECEIVED & INSPECTED

APR 8 - 2002

FCC - MAILROOM

Re: CC Docket Nos. 96-45 and 97-21/

Regarding:

**USAC's Decision Letters dated February 5, 2002 (copies attached) and July 23, 2001 for 471 Application numbers 246574 and 247855, funding year 4, billed entity 144458, FORT BRAGG UNIFIED SCHOOL DISTRICT.**

I, Gustavo Ayala, the undersigned, acting in the capacity of Technology Coordinator for the Fort Bragg Unified School District, file this appeal requesting the FCC to review USAC's decision to our previous appeal.

On USAC letter dated February 5, 2002 the decision to our appeal for 471 Application Number 246574, Funding Request Number 600385 was "Denied in Full." A decision regarding 471 Application Number 247855 is still pending. In the original USAC correspondence dated July 23, 2001, the reason for our initial appeal regarding these two 471 Applications, USAC decided "not to fund" our 471s because "Forms 470 were not certified or certified outside the FY4 window."

I certify the 2001-2002 E-rate application process was filed on time according to USAC guidelines. In fact, Forms 470 were filed electronically on December 14, 2000 and certification letter followed thereafter. SLD/USAC requested a second signature letter because the first appeared to be a copy of the original certification letter. I complied with the request and no further action was required. Forms 471, numbers 247855 and 246574, were electronically filed on January 16, 2001. In fact, on March 20, 2001, USAC sent us a notification or acknowledgement of "RECEIPT and SUCCESSFUL DATA ENTRY," including "Services Ordered and Certification Form."

Although I have not been able to demonstrate I mailed the 470 certification, perhaps because the mail was not certified at the U.S. Post Office, I was nevertheless in compliance with USAC instructions for filing of forms 470, as indicated in USAC's own "What's New at SLD" web page of January 2001. I read and quote this reference (copy attached): **"Forms 470 with completed certification submitted in previous year meets this requirement, as do those filed for Year 4 and submitted to the SLD with a postmark dated no later than January 18, 2001."** In your files you will find the Fort Bragg Unified School District E-rate forms for Year-3 duly certified by my predecessor, Sarah Daniel, Supervisor of Information Services, FBUSD. The services to which these E-Rate forms refer are basic telecommunications services and basic internet connection for the district and schools.

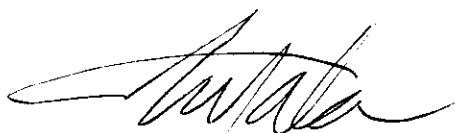
No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

I recognize I did not perhaps take the precaution of sending the 470 Certification via certified U.S. Postal service, or at least I do not have a copy of the signed return receipt. However, as I indicate in the attached USAC web information, a person new to the E-Rate process like myself may understand from the referenced web instructions that a prior year E-rate certification meets the certification requirements, **"as do those filed for year 4 and submitted to the SLD with a postmark dated no later than January 18, 2001."**

Furthermore, it has taken USAC over six months to issue an incomplete response denying in part our appeal. 471 Application Number 247855 still remains unanswered. It is very difficult and trying to attempt reaching USAC support staff and obtain an answer. On January 29, 2002 I sent a letter to USAC correcting a double entry in one of the 471 Forms in question. This lead me to believe they were working with us towards a positive resolution of our appeal. Nevertheless, without additional correspondence they issue the letter of denial on February 5, 2002, yet in phone conversation with USAC staff they seem to be un aware of their own letter of denial. If it has taken me this long to appeal to the FCC it was because I was under the impression USAC was still working with us. As I said before, Application Number 247855 still unresolved and unanswered.

We are a small school district in a rural community and the e-rate in question is for basic telephone service for our schools. The pre-discounted amount of the request is \$8,100, the discount percentage is 73%. This may seem insignificant to a large district, but to Fort Bragg that is facing budget reductions and declining enrollment is a very important source of funds to support the district education objectives. An adverse decision based on a technicality will have severe economic impact on our scarce and dwindling resources.

You may contact me or the district Superintendent at **707-961 2850**, or via e-mail at **gayala@mcoe.k12.ca.u**. Our school district and the community we serve depend on your positive decision and thank you in advance for your consideration to this appeal.



G. Ayala

Attachments

cc: Steve Lund - District Superintendent



*School & Lib*

**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal - Funding Year 2001-2002**

February 5, 2002

Gustavo Ayala  
Fort Bragg Unified School District  
312 S. Lincoln Street  
Fort Bragg, CA 95437-4416

Re: Billed Entity Number: 144458  
471 Application Number: 246574  
Funding Request Number(s): 600385  
Your Correspondence Dated: July 29, 2001

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number(s): 600385  
Decision on Appeal: **Denied in full**  
Explanation:

- Our records indicate that your Form 470 Certification was not postmarked prior to the close of the filing window on January 18<sup>th</sup>, 2001. You indicated that you could not prove that the Form 470 Certification was mailed prior to January 18<sup>th</sup>, 2001. Therefore, the SLD must rely on its records.
- Program rules for Funding Year Four require that Form 470 Certifications be postmarked no later than January 18<sup>th</sup>, 2001 in order for the Form 470 to be valid and establish the bidding for these services. Since our records indicate that your Form 470 Certification did not meet this requirement, it cannot be used to establish the bidding for this service. During initial review you indicated that this was the establishing Form 470. Consequently, your appeal is denied for

referencing a Form 470 that was not certified before the close of the filing window.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, [www.sl.universalservice.org](http://www.sl.universalservice.org)

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

**3. Form 470 Certification:** A completed Form 470 Certification is a Block 5 certification signed with an original signature by the authorized person. Forms 470 with completed certifications submitted in a previous year meet this requirement, as do those filed for Year 4 and submitted to the SLD with a postmark date no later than January 18, 2001. Any Year 4 Form 471 Block 5 funding request based on a Form 470 whose certification has not been received by 11:59 p.m. EST on January 18, 2001 or postmarked by January 18, 2001 will be rejected.

**4. January 18, 2001 Deadline:** Failure to make the January 18, 2001 deadline for Form 471 application materials will place the entire application outside the window, and the applicant's funding will be jeopardized.

For those choosing to deliver their application(s) to the NCS facility in Lawrence, Kansas, we must receive your application by 11:59 PM EST on January 18, 2001.

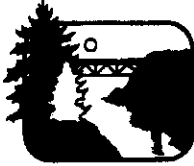
Following are driving directions to the NCS facility.

- As you depart KCI airport, follow all signs that indicate I-29 North or Topeka.
- Once on I-29 North, seek out the signs for I-435 West. Make sure you stay in the right lane. Once you are on I-435 West, it will change to I-435 South: you will stay on this road for approximately 25 miles.
- Stay on I-435 West, until you see signs for K-10 (Lawrence)
- Take K-10 (Lawrence) for about 20 - 25 miles.
- Once you approach Lawrence, the speed limit will reduce to 65 mph. You will need to stay in the right lane.
- You will see a blue sign indicating East Hills Business Park, make a right into the Business Park. At the stop sign you will make a right again. You are looking for a building named NCS (National Computer Systems).
- NCS is around the curve at the bottom of the hill on the right.

**SLD Client Service Bureau Open January 13, 14 and 15 to Assist Applicants (1/10/2001)**

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In order to assist applicants as we near the end of the Form 471 filing window, the Client Service Bureau will be open on Saturday, January 13 and Sunday, January 14 from 8:00 AM to 8:00 PM EST. The Client Service Bureau will also be open from 8:00 AM to 8:00 PM EST on Monday, January 15. You can reach the Client Service Bureau Help Line by calling 1-888-203-8100.



## FORT BRAGG UNIFIED SCHOOL DISTRICT

Gustavo Ayala, Technology Coordinator

312 South Lincoln Street, Fort Bragg, California 95437-4499

Telephone (707) 961-2850

Fax (707) 964-5002

July 29, 2001

*copy*

Letter of Appeal  
Schools and Library Division  
Box 125-Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

**Re: Your Funding Commitment Decision Letters dated July 23, 2001. (copies attached) for 471 Application numbers 247855 and 246574, funding year 4, billed entity 144458, FORT BRAGG UNIFIED SCHOOL DISTRICT.**

I, Gustavo Ayala, the undersigned, acting in the capacity of Technology Coordinator for the Fort Bragg Unified School District, file this appeal requesting SLD/USAC to reconsider the decision regarding the funding for the referenced 471 applications. The reason given in SLD/USAC funding commitment report is "Form 470 were not certified or certified outside the FY4 window."

I certify the 2001-2002 E-rate application process was filed on time according to USAC guidelines. In fact, Forms 470 were filed electronically on December 14, 2000 and certification letter followed thereafter. SLD/USAC requested a second signature letter because the first appeared to be a copy of the original certification letter. I complied with the request and no further action was required. Forms 471, numbers 247855 and 246574, were electronically filed on January 16, 2001.

While reviewing USAC "What's New at SLD" web page, in reference with Form 470 Certification, I read and quote: "Forms 470 with completed certification submitted in previous year meets this requirement, as do those filed for Year 4 and submitted to the SLD with a postmark dated no later than January 18, 2001." In your files you will find the Fort Bragg Unified School District E-rate forms for Year-3 duly certified by my predecessor, Sarah Daniel, Supervisor of Information Services.

You may contact me at 707-961 2850 or via e-mail at [ayalant@mcn.org](mailto:ayalant@mcn.org). Our school district and the community we serve depend on your positive decision and thank you in advance for your consideration to this appeal.

G. Ayala

Attachments

cc: Steve Lund - District Superintendent



Universal Service Administrative Company  
Schools & Libraries Division

FORM 471 RECEIPT ACKNOWLEDGMENT LETTER  
(Funding Year 4: 07/01/2001 - 06/30/2002)

MARCH 20, 2001

FORT BRAGG UNIFIED SCHOOL DIST  
Gustavo Ayala  
312 S LINCOLN ST  
FORT BRAGG, CA 95437-4416

Re: Form 471 Application Number: 246574  
Funding Year 4: 07/01/2001 - 06/30/2002  
Applicant's Form Identifier: 010116-471  
Billed Entity Number: 144458

NOTICE: This notification is an acknowledgment of RECEIPT and SUCCESSFUL DATA ENTRY of your FCC Form 471, Services Ordered and Certification Form, reflecting \$8,100.00 in total program year pre-discount costs for services. This letter confirms that the Form 471, Item 21 attachment, and signed Form 471 Certification form have been received.

This letter does NOT contain any decisions concerning your requests for discounts. Note, however, the two-week response deadline described below.

Please keep this letter for your records. The Form 471 application number cited above is critical for you to link your application to future Schools and Libraries Division (SLD) communications.

Please be advised that your Form 471 application materials were postmarked or received by the SLD on 01/16/2001 and successfully entered into our data system. SLD's Program Integrity Assurance (PIA) Team will now review your application for compliance with program rules. Once the review of your application has been completed, you will receive a separate Funding Commitment Decision Letter to inform you of the disposition of your application. Until you receive a Funding Commitment Decision Letter from the SLD, you cannot assume that you will receive the discounts for which you are applying.

Your application will be considered within the application filing window wherein all applications which meet the Minimum Processing Standards are treated as though they were received on the same day.

HOW TO USE THIS 471 RECEIPT ACKNOWLEDGMENT LETTER TO CORRECT INFORMATION ON YOUR FORM 471 (ACT WITHIN 2 WEEKS!)

If you find data entry errors on this letter, or you previously identified errors on your Form 471, these can be corrected using this Form 471 Receipt Acknowledgment Letter. Examples of the errors that can be corrected are:

- \* Block 1 information (such as contact person or street address);
- \* Reductions to Block 5 Funding Requests;
- \* SPIN is incorrect because of a data entry error or because the company has merged with or been acquired by another company (Requests to change service providers for other reasons cannot be accommodated through the Receipt Acknowledgment Process.);
- \* If on your Form 471 you incorrectly combined or "bundled" into one Funding Request Number (FRN) two or more services from different service providers